

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

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FUSION ELITE ALL STARS,	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 20-cv-2600-SHL-tmp
	)	
VARSITY BRANDS, LLC,	)	
et al.,	)	
	)	
Defendants.	)	

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JESSICA JONES, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 20-cv-2892-SHL-tmp
	)	
BAIN CAPITAL PRIVATE EQUITY,	)	
et al.,	)	
	)	
Defendants.	)	

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ORDER GRANTING LEAVE TO SUBMIT AFFIDAVITS REGARDING MOTION TO  
QUASH

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Before the court is defendants' Motion to Quash or Modify Subpoena Directed to Marlene Cota and Motion for Protective Order, filed on December 27, 2021. (ECF No. 178.) The motion seeks to quash a subpoena issued to Marlene Cota, a former employee of Varsity and third party to the present litigation, which seeks allegedly responsive documents Cota possesses. Plaintiffs responded to the motion on January 10, 2022. (ECF No. 180.) The circumstances in which Cota acquired the documents at issue are

disputed. Given that the facts of how Cota came to possess these documents may be relevant to the ultimate issue, the undersigned permits the parties until January 21, 2022, to file affidavits to clarify the record regarding how Cota came to possess these documents.

IT IS SO ORDERED.

s/ Tu M. Pham  
TU M. PHAM  
Chief United States Magistrate Judge

January 12, 2022  
Date